

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**AMERICAN HOME ASSURANCE
COMPANY,**

Plaintiff,

v.

**CENTRAL NATIONAL INSURANCE
COMPANY OF OMAHA, et al,**

Defendants.

Case No. 1:19-CV-341

**RE: Sunbeam Parties' Motion to Compel
ECF No. 149**

MEMORANDUM ORDER

Pursuant to Federal Rule of Civil Procedure 53(a)(1)(A), the parties in this matter agreed to the appointment of a Special Discovery Master. This Court appointed Mark Shephard, Esq. to address. *See* ECF No. 123.

On June 2, 2023, Special Master Shepard issued a Report and Recommendation recommending that a Motion to Compel by the Sunbeam Parties be granted in part and denied in part. Specifically, he recommended that

1. The Sunbeam Parties' Motion to Compel American Home to provide supplemental responses to the Sunbeam Parties' Interrogatory Nos. 1 through 4 relating to number of occurrences should be denied.
2. The Sunbeam Parties' Motion to Compel American Home to provide supplemental responses to the Sunbeam Parties' Interrogatory Nos. 10 through 12 should be denied.

3. The Sunbeam Parties' Motion to Compel American Home to provide responses to Interrogatory No. 15 related to reinsurance should be granted in part and denied in part. American Home should provide a supplemental response to this interrogatory identifying any reinsurance agreement and the name of the reinsurer applicable to American Home policies in question. In all other respects, the Sunbeam Parties' Motion to Compel should be denied.
4. Additionally, American Home should be ordered to produce to the Sunbeam Parties any additional responsive documents to which it committed in its original and supplemental answers to the Sunbeam Parties' requests for production.

ECF No. 153.

Pursuant to Rule 53(f), the parties were allowed sufficient time in which to file Objections to the Report and Recommendation. The standard period of time in which to file Objections to a Report and Recommendation was extended generously and repeatedly after the parties requested extensions to continue settlement negotiations.

By Text Order dated February 23, 2024, this Court directed that the parties may file Objections by March 8, 2024. ECF No. 166. Plaintiff American Home filed limited Objections by way of letter to the Court. ECF No. 168. American Home requested that, given the voluminous nature of the additional documents that should be produced, it be given at least sixty days to do so. *Id.*

After *de novo* review of the briefing regarding the Motion to Compel in the case, together with the Special Master's Report and Recommendation and the Objection thereto, the following order is entered:

AND NOW, this 19th day of March 2024;

IT IS HEREBY ORDERED that the motion to compel [ECF No. 149] is granted insofar as American Home shall provide a supplemental response to Interrogatory No. 15 identifying any reinsurance agreement and the name of the reinsurer applicable to American Home policies in question. Additionally, American Home must produce to the Sunbeam Parties any additional responsive documents to which it committed in its original and supplemental answers to the Sunbeam Parties' requests for production. The Motion to Compel is denied in all other regards. The disputed discovery shall be produced by American Home to the Sunbeam Party Defendants by August 1, 2024.

IT IS FURTHER ORDERED that the report and recommendation of Special Master Shepard, issued on June 2, 2023 [ECF No. 153] is adopted as the opinion of the court with the qualification that the Exhibit A mentioned therein has not been filed with the Court.

S/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
United States District Judge